Filed 05/02/2008

SCANNED

v.

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

ELLINGTON CREDIT FUND, LTD. AND ECF SPECIAL SECURITIES, LLC., Plaintiffs,

Case No. 08-CV-02437 (RJS)

SELECT PORTFOLIO SERVICING, INC., MANUFACTURERS AND TRADERS TRUST COMPANY, MBIA INSURANCE CORPORATION, MOUNTAIN WEST REALTY CORP., RESIDENTIAL REAL ESTATE SERVICES, INC., AND PELATIS INSURANCE AGENCY CORP.,

Defendants.

MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Richard T. Marooney, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Penn C. Huston King & Spalding LLP 1100 Louisiana Street **Suite 4000** Houston, TX 77002-2764 Phone: (713) 751-3282

phuston@kslaw.com

To Represent: Defendant MBIA Insurance Corporation

Penn C. Huston is a member in good standing of the Bar of the State of Texas. There are no pending disciplinary proceedings against Penn C. Huston in any state or federal court.

Dated: May 2, 2008

Respectfully Submitted,

Richard T. Marooney (RM0276)

King & Spalding LLP

1185 Avenue of the Americas New York, New York 10036

Phone: (212) 556-2242

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ELLINGTON CREDIT FUND, LTD.

AND ECF SPECIAL SECURITIES, LLC.,

Plaintiffs,

v.

SELECT PORTFOLIO SERVICING, INC.,
MANUFACTURERS AND TRADERS TRUST
COMPANY, MBIA INSURANCE CORPORATION,
MOUNTAIN WEST REALTY CORP.,
RESIDENTIAL REAL ESTATE SERVICES, INC.,
AND PELATIS INSURANCE AGENCY CORP.,

Defendants.

Case No. 08-CV-02437 (RJS)

AFFIDAVIT OF RICHARD T. MAROONEY IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE

State of New York	)	
	)	SS
County of New Yor	k)	

Richard T. Marooney, being duly sworn, hereby deposes and says as follows:

- I am a member of King & Spalding LLP, counsel for Defendant MBIA Insurance
   Corporation in the above-captioned action. I am familiar with the proceedings in this
   case. I make this statement based on my personal knowledge of the facts set forth herein
   and in support of Defendant's motion to admit Penn C. Huston as counsel pro hac vice to
   represent Defendant in this matter.
- 2. I am a member in good standing of the State Bar of New York, and was admitted to practice law in 1995. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
- 3. I have known Penn C. Huston since 2001.
- 4. Mr. Huston is a member of King & Spalding LLP in Houston, Texas.

- 5. I have found Mr. Huston to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.
- 6. Accordingly, I am pleased to move the admission of Penn C. Huston, pro hac vice.
- 7. I respectfully submit a proposed order granting the admission of Penn C. Huston, pro hac vice, which is attached hereto.

WHEREFORE it is respectfully requested that the motion to admit Penn C. Huston, pro hac vice, to represent Defendant MBIA Insurance Corporation in the above-captioned matter, be granted.

Richard T. Marooney

Sworn to before me this 2<sup>nd</sup> day of May, 2008

W.C. #9

Motary P

On Course Commission Expires Oct. 19<del>, 200</del>...

1-30-2010

## STATE BAR OF TEXAS



## Office of The Chief Disciplinary Counsel

April 28, 2008

Mr. Penn Christopher Huston RE:

State Bar Number - 00796804

## To Whom it May Concern:

This is to certify that Mr. Penn Christopher Huston was licensed to practice law in Texas on November 01, 1996 and is an active member in good standing with the State Bar of Texas.

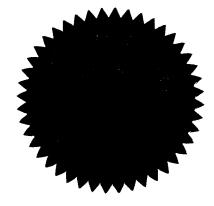
Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

John A. Neal

Chief Disciplinary Counsel

JN/dh



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Defendants.

Case No. 08-CV-02437 (RJS)

ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of Richard T. Marooney and said sponsor attorney's affidavit in support; IT IS HEREBY ORDERED THAT

Mark K. Glasser King & Spalding LLP 1100 Louisiana Street Suite 4000 Houston, TX 77002-2764 Phone: (713) 751-3200 phuston@kslaw.com

To Represent: Defendant MBIA Insurance Corporation

is admitted to practice pro hac vice as counsel for Defendant MBIA Insurance Corporation in the above-captioned case in the United States District Court for the Southern District of New York.

All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of all attorneys. If this action is assigned to the Electronic Case Filing (ECF) System, counsel shall immediately apply for an ECF password at nys.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated:	
City, State:	
	United States District Judge

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## **CERTIFICATE OF SERVICE**

This is to certify that I have this day served all counsel in this action with a true and correct copy of the (i) Motion to Admit Counsel Pro Hac Vice; (ii) Affidavit of Richard T. Marooney in Support of Motion to Admit Counsel Pro Hac Vice; (iii) Certificate of Good Standing for the State Bar of Texas; and (iv) Order for Admission Pro Hac Vice on Written Motion by electronic mail and causing the same to be deposited in the United States Mail in an envelope with adequate postage affixed thereon to ensure delivery via first class mail as follows:

Kell Corrigan Mercer Brown, McCarroll, LLP 111 Congress Avenue Suite 1400 Austin, TX 78701 (512) 479-9749

Benjamin David Lee Foster Locke Lord Bissell & Liddell, LLP 100 Congress Avenue Suite 300 Austin, TX 78701-4042 (512) 305-4751 M. Daniel Guerra Brown, McCarroll, LLP 111 Congress Avenue Suite 1400 Austin, TX 78701 (512) 479-9749

C. Don Clayton Locke Lord Bissell & Liddell, LLP 2200 Ross Avenue Suite 2200 Dallas, TX 75201-6776 (214) 740-8584 Elizabeth K. Duffy Locke Lord Bissell & Liddell, LLP 2200 Ross Avenue Suite 2200 Dallas, TX 75201-6776 (214) 740-8584

Amelia Berg Baker & Hostetler 1000 Louisiana Suite 2000 Houston, TX 77002 (713) 646-1361

Dated: 5/2/08

Thomas G. Yoxall Locke Lord Bissell & Liddell, LLP 2200 Ross Avenue Suite 2200 Dallas, TX 75201-6776 (214) 740-8584

Paul S. Francis Baker & Hostetler 1000 Louisiana Suite 2000 Houston, TX 77002 (713) 646-1361

Richard T. Marooney